

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

December 23, 2015

Telephone Meeting

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Jeffery Nielsen, Chief Investigator
Justin Barney, Hearing Officer
Judith Jensen, Assistant Attorney General
Amber Nielsen, Board Secretary

BOARD MEMBERS PRESENT:

Kristin Coleman-Nicholl, Vice Chair
Daniel Brammer, Board Member
Paul W. Throndsen, Board Member
Jim Bringhurst, Board Member

PUBLIC PRESENT:

Kevin Ewell

The December 23, 2015 meeting of the Appraiser Licensing and Certification Board began at 9:04 a.m. with Vice Chair Coleman-Nicholl conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –A motion was made and seconded to approve the minutes from the November 25, 2015 meeting as written. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion carries.

Public Comment Period – There was no public comment

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported on the Draft Bill for the 2016 legislative session. Director Stewart stated the draft was sent in early December; the Division has not received a draft version of the bill back at this time.

Director Stewart reported he has received some comments about the tiered system/panels portion of the Draft Bill. Director Stewart presented the possibility of adding to statute rule making authority since there is not a consensus on the tiered system/panels regulation in the bill. The rule making authority could allow authority to draft rules about how and AMC creates panels, what disclosures are required when an appraiser is removed from a panel, etc. Director Stewart is hesitant to move the bill forward as it is now since there is not consensus. Vice Chair Coleman-Nicholl believes some people are interpreting the proposal to mean a rotation of appraisers. Director Stewart clarified the requirement just stipulates appraiser have an equal opportunity to receive assignments, which does not necessarily mean the same number of assignments. The Division will update the language in the statute to clarify the intent. The Board discussed the option of adding to statute the ability to write rules.

ENFORCEMENT REPORT – Jeffery Nielsen

Mr. Nielsen reported in November the Division received 0 complaints; opened 4 new cases; close 10 case; leaving 27 appraisal cases open with the Division. There are a total of 18 cases are now with the AG's office.

Mr. Nielsen reported the Division will be re-opening the Appraiser Investigator position to more applicants.

There are no stipulations for review this month.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported there are now 30 fewer Certified Residential Appraisers, 14 fewer Licensed Appraisers, and the same number of Certified General Appraisers. Mr. Fagergren was unsure why this is the case.

Mr. Fagergren submitted the following lists to the Board for their review:

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

John Heller, CR Candidate

Disciplinary List:

Mark Lefanowicz, AMC Control Person Applicant

John Paul Williams, Temporary Certified General Applicant

Scott Schryver, Appraiser Trainee Applicant

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney stated he will be working on statute changes. There are no rule updates pending at this time.

Mr. Barney reported the Division has hired Amber Nielsen as the new Board Secretary.

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from approximately 9:29 a.m. to 9:38 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

Certified and Licensed Appraiser Applicants Approved by both Education and Experience Review Committees:

John Heller, CR Candidate – Approved

Disciplinary List:

Mark Lefanowicz, AMC Control Person Applicant – Approved

John Paul Williams, Temporary Certified General Applicant – Approved

Scott Schryver, Appraiser Trainee Applicant – Approved

A motion was made to adjourn the meeting. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes. The meeting adjourned at approximately 9:40 a.m.